

MINUTES
BOARD OF APPEALS
Monday, February 18, 2013
City Hall, Room 604
5:30 p.m.

MEMBERS PRESENT: D. Carlson, B. Maccaux, J. Reck

ALTERNATE MEMBER PRESENT: R. Marx

MEMBER EXCUSED: J. Bunker

OTHERS PRESENT: Matt & Bridget Van Laanen, Mike Johnson, Christopher Naumann, Sheri Omernik

D. Carlson called the meeting to order and asked the Board if anyone needed to abstain from voting; all replied no. He asked if any members had gone to the properties or talked to anyone regarding the requests; all replied no.

APPROVAL OF MINUTES:

Approval of the January 21, 2013 minutes of the Board of Appeals

A motion was made by J. Reck and seconded by Rob Marx to defer approval of the January 21, 2013 minutes to the next meeting. Motion carried.

New Business:

1. Bridget & Matthew Van Laanen, property owners, propose to construct a 16' x 38' attached garage in a Low Density Residential (R1) District at 248 Newberry Court. The applicant requests to deviate from the following requirement, Section 13-604, Table 6-2, side yard setback.

M. Van Laanen stated they would like to build a garage on the side of the house so they could drive through the garage into the back yard. There is a retaining wall that needs maintenance and there is no real access to the back yard to make the repairs. There is actually a very large hole next to the house for an under-the-house basement and they would like to fill that in and put the garage in. Initially they thought there was a 4' setback which was incorrect. He stated they drew up the plans giving them enough room to have equipment drive through the garage and still have a stairwell to access the basement. He stated they spoke with the neighbors and they were good with the plan to go within the 6' setback. He stated they really just want to fill in the hole and get the most space they can out of it. There is room at the back of the lot but with the diagonal lot it becomes problematic to make everything fit.

D. Carlson asked what the original design was intended for. M. Van Laanen stated the driveway goes into a two-stall garage in the basement. He was not sure of the original owner's intent but stated it is non-accessible in winter and impossible to keep clean.

D. Carlson asked if the setback was the only issue. P. Neumeyer stated it was just the 4½' right up to the diagonal on the lot. The majority of it does meet code; it is just the 4½' that doesn't. J. Reck asked M. Van Laanen if they had considered building the garage back to the 6 foot point. M. Van Laanen stated they looked at that but they would lose a lot of space as it pulls the garage back pretty far. He stated they have not totally explored that.

He was then asked if there was room at the back to expand backward and M. Van Laanen stated no, they would start to push up against the hill. There is a small retaining wall that is part

of the problem. He stated the retaining wall is starting to degrade and they would like to build the garage to get access into that back area so they can work to rebuild the retaining wall.

B. Maccaux asked why there is not access at this time and M. Van Laanen stated there is only a 3' walkway on the opposite side of the house which gives access for a wheel barrel but that would be it. Any kind of bobcat or large piece of equipment would not fit. He added they plan to put a garage door on both ends of the garage so the equipment will be able to drive straight through. He stated there would be a driveway on the backside to handle the slope. Unfortunately, that becomes a problem with pushing it back. If they push it back, the driveway would have to be much longer on the backside to accommodate the slope.

J. Reck stated he was torn because it is only 1½' and felt pushing the garage back further is not a good option. He stated the fact that it is a very narrow lot with a diagonal on it and it is really only non compliant on the front end; it strikes him as a reasonable request. He stated there is a hardship he could perceive in trying to make this work. He stated he could also see why he was reluctant to go further back. R. Marx stated he had no problem with this request. D. Carlson stated the ordinance dropped at 60' to 4 ½' and they do meet that. Unfortunately they are also about 53' or 54' on the front which complicates things.

A motion was made by J. Reck and seconded by R. Marx to grant the variance as requested. Motion carried.

2. Graphic House, Inc. on behalf of the Veteran's Administration, property owner, proposes to install a monument sign with an electronic message center on a masonry base in a Planned Unit Development (PUD) located at 2851 University Avenue. The applicant requests to deviate from the following requirement, Section 13-2010, Table 20-2, maximum height of a sign.

M. Johnson stated they are requesting a monument sign that would be erected in front of the new VA Hospital. They are requesting this for several reasons one would be a variance in height. Because this is an expansive property with a lot of different services on it, they want to be able to let the public know what they are. The Federal Government has some requirements as to what they want on the signs and they need to comply with that and the VA folks also felt it was very important to have an electronic sign there because of the wide variety of services they will have. In trying to keep the signage to a minimum yet still a viable sign with lettering that can be read from the road, they are requesting a minor variance in both size and height. The ordinance states 6' tall. There is a masonry base to hold this sign and by the time you add this base and the message center, it is already at 4'. That would only leave 2' for signage to put in all of the verbiage seen on the specs. It would be very small. Plus a sign of that size in front of a property of this size would look out of place as well. This is a 20 acre plus property and putting up a 6' sign with limited copy on it would make it look ridiculous.

D. Carlson stated there are older people coming from out of the city who need to be able to see this sign. He felt this was a reasonable request. J. Reck agreed. He stated he felt it was aesthetically pleasing and he agreed with keeping with standards. He felt they have done a good job and it will fit the environment quite nicely.

A motion was made by B. Maccaux and seconded by J. Reck to grant the variance as requested. Motion carried.

3. Sheri Omernik, Orde Sign, on behalf of Jay Schillinger, property owner, proposes to install a multi-tenant monument sign in a Downtown One (D1) District located at 211 North Broadway. The applicant requests to deviate from the following requirement, Section 13-2008, Table 20-1, maximum height of a sign.

S. Omernik addressed the Board stating they are requesting a variance on height only. In order to have any architectural comparison to the building, they needed more space than the 6' overall. It is a very art-heavy district and they wanted to make sure it blends in with the Broadway District. She also stated this particular unit is a large building for Broadway and this particular building has many tenants in it. She stated if the sign was smaller, there would not be room for all of the tenants and as it is, the tenant list is very small so it would only be from walking distance that it could be read. In the past, the same property with a previous owner, requested a sign variance and it was rejected, however, they were asking for a pylon type sign which did not fit well with the neighborhood and had a seven foot under clearance. She stated at that time her company did not check with the On Broadway Committee to see what their design standards would be. She introduced Christopher Naumann from On Broadway and added they already appeared before that Committee and received their okay.

J. Reck asked if the sign was perpendicular to the building and S. Omernik stated it was. She stated she made a change with the Building Inspection Division in that the proposed sign was to be illuminated and that has changed to not being illuminated. All the businesses in that location are closed at 5:00 pm. D. Carlson asked if the sign was on the sidewalk and S. Omernik stated no.

D. Carlson asked C. Naumann what the status is of his organization and what it reports to do.

C. Naumann stated he is the Executive Director for On Broadway Inc.. This is a non-profit historic preservation and economic development organization that works independently but in partnership with the City of Green Bay, the Broadway Bid District, and other small businesses in the district. Their objective is to move projects forward, to help get citizen engagement in process and to really promote the Broadway historic district. He stated they were approached by Orde and the building owner, and together with the On Broadway Inc. design committee, to pre-approve signage for a possible sign grant that they administer through the City of Green Bay that meets a set of design criteria that goes above and beyond the zoning ordinance for the City. He stated the On Broadway design committee has tentatively approved a sign grant for use on this appending resources allocated from the City. There were design questions regarding appropriate use of materials, scalability and from a design it actually meets the design language. The pattern is all ready existing in the facility so it does not look like it will be out of place. The only question they had to do with clearance and the planters in front of the property that are in the right-of-way. He stated they have plans to move some of planters to allow for more walking room and that also would help this sign regarding visibility.

D. Carlson asked P. Neumeyer if he could explain the status that the organization is given at least before the Planning Group and even City Council. He added he would be interested in knowing some of the history of these planning organizations. P. Neumeyer stated C. Naumann clarified their role with the City and what they do. They are also another arm of the City that helps development and also keep the aesthetic appeal of the Broadway District.

D. Carlson stated they are not employed by the City of Green Bay but by the businesses on Broadway and was advised he was correct. B. Maccaux asked if their annual plans are approved by the Planning Department and subsequently the City Council. C. Naumann stated they don't trump city ordinances but have a higher standard of design guidelines that they can elevate the City guidelines with design ascetics and other things so they are essentially another layer. They can't force businesses to do that as long as they meet the requirement of the City, but they can actually offer resources to help pay for those functions in terms of ascetic qualities or design components.

S. Omernik added this building is hard to do wall signage on and as a result owner after owner has had a hard time securing tenants for long term so even though there is a new owner, there is still the need to have some sort of sign so they can keep this building occupied.

J. Reck stated he was happy they worked with On Broadway and felt it was just another important cog in the gears to improve the district. R. Marx stated he was not privy to the original request but agrees there is a lot of planning put into this one and also the necessity for the sign is apparent. B. Maccaux stated he had no concerns.

A motion was made by J. Reck and seconded by Rob Marx to grant the variance as requested. Motion carried.

A motion was made by J. Reck and seconded by R. Marx to adjourn the meeting at 6:00 p.m. Motion carried.

Meeting adjourned.

:jvr